

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**David M. Deshane**

Plaintiff

vs.

**CASE NUMBER: 8:21-cv-465 (BKS)**

**Commissioner of Social Security**

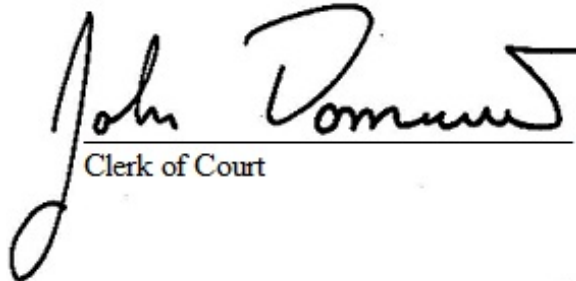
Defendant

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: CONSENT ORDER TO REMAND PURSUANT TO SENTENCE 4 OF 42 U.S.C. § 405(g). The parties stipulate that the Commissioners final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). On remand, the ALJ will provide Plaintiff the opportunity for a new hearing, re-evaluate the medical opinions in the record, re-determine Plaintiffs residual functional capacity, and issue a new decision. The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

All of the above pursuant to the order of the Honorable Brenda K. Sannes, dated the 29<sup>th</sup> day of April, 2022.

DATED: May 2, 2022

  
Clerk of Court

s/Kathy Rogers  
Deputy Clerk